

RemarksStatus and Disposition of Claims

In the Action, the Office considered claims 1-10. In this Amendment, Applicants cancel claims 1-10 without prejudice to or disclaimer of the subject matter recited therein, and add new claims 11-18. The amendment finds support throughout the specification and claims, and specifically, for example, in previous claims 5-10.

Application Papers and Priority

Applicants thank the Examiner for indicating that the drawings filed February 17, 2006 are accepted.

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119 and receipt of all certified copies of priority documents.

Information Disclosure Statements

Applicants thank the Examiner for fully considering the Information Disclosure Statements filed September 26, 2006 and September 17, 2009.

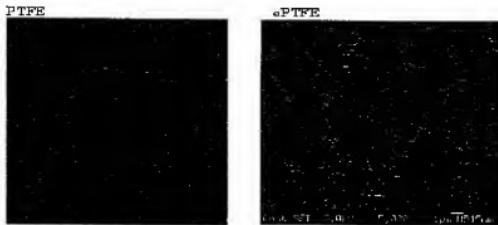
Claim Rejections – 35 U.S.C. § 112, Second Paragraph

The Action rejects claims 2, 6-8, and 10 under 35 U.S.C. § 112, second paragraph, for several reasons. Initially, Applicants respectfully note that claims 1-10 have been canceled, obviating the rejection as applied to those claims. To the extent that the rejections are still applicable to terms in new claims 11-18, Applicants present the following comments.

The Action asserts that the claims are indefinite because of the reference to expanded polytetrafluoroethylene, which the Action asserts is unclear. In response, Applicants respectfully submit that the term "expanded polytetrafluoroethylene" is an art-recognized term and that Applicants' use of the term is consistent with the art. Applicants respectfully note that there is

no requirement to define what is meant by every term in a claim, especially when those terms are used in a manner consistent with the art.

In the event that there is some question about what the art recognizes as ePTFE, Applicants provide the following additional comments. ePTFE is expanded PTFE, which is obtained by stretching, and has flexibility. The structure of ePTFE is porous, and ePTFE is understood to be porous PTFE. Scanning electron micrographs of PTFE and ePTFE are shown below, for illustration. PTFE is generally regarded as non-porous, whereas ePTFE is generally regarded as porous. ePTFE is commercially available as “ePTFE” from Gore-Tex.



The Action further asserts that the claims are indefinite for the recitation of a “polymer material containing carbon as a constitutional element,” where silicone is recited as an example. The Action asserts that if “containing carbon as a constitutional element” means that carbon is the “main element,” then most silicones would not fall within this class. In response, Applicants respectfully note that the specification makes clear that what is meant by “containing carbon as a constitutional element” is that the polymer simply contains carbon in its content – not necessarily that it is the “main” element. Indeed, the fact that the specification specifically states that silicone is contemplated to fall within the group is evidence that the Office’s interpretation must be incorrect.

Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 112, second paragraph.

Claim Rejections – 35 U.S.C. § 102

The Action rejects claims 1-10 under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent Application Publication No. 2002/0155295, to Suzuki et al., and U.S. Patent No. 5,891,192, to Murayama et al. Applicants respectfully disagree with the rejections for the reasons that follow.

Applicants note that the present claims are directed to a method of treating aneurysms, and that Suzuki et al. fails to disclose such use. Suzuki et al. discloses adhesiveness of materials to bone or subcutaneous tissue, but does not teach or suggest treatment of aneurysms.

Applicants note that treating aneurysms requires application to a dynamic blood vessel that contracts and expands, and that changes shape with blood flow. Suzuki et al.'s use in bone and subcutaneous tissue is in a static environment, which does not disclose or suggest a use in the dynamic blood vessel environment.

Murayama et al. relates to methods for preventing bursting of aneurysms by inserting platinum coils or artificial materials to an aneurysm from the inside of the blood vessel. In the present invention, on the other hand, an aneurysm is wrapped by an ion-beam irradiated material from the outside of the vessel. The method disclosed by Murayama et al. is completely different from that of the present invention, and further, does not suggest the present invention.

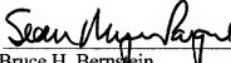
In view of the foregoing, Applicants respectfully request withdrawal of the outstanding rejections under 35 U.S.C. § 102.

Conclusion

In view of the foregoing remarks and amendments, Applicants respectfully request withdrawal of the rejections of record and allowance of the claims. If the Examiner has any questions or wishes to discuss this application further, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

If there should be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Hiroshi UJIIE et al.


Bruce H. Bernstein
Reg. No. 29,027
42,920

August 24, 2010
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191